

3:04-cr-318

ORDER

According to the defendant's motion and statements at the hearing, the laptop computer was "valued at" approximately \$1,500, the video camera at \$900, and the cell phone at \$250.<sup>1</sup> (Doc. No. 16 at 1). The government reports that the cell phone was sold at auction in a lot of 9 for \$50; the laptop was sold for \$100 after the removal of the hard drive pursuant to police

<sup>1</sup> The defendant did not provide any documentation or model descriptions to establish the asserted values.

policy; and that the video camera was determined to be worthless based on its poor condition, but that other video cameras sold for between \$25 and \$170. (Doc. No. 36: Notice at 1-2).

The Defendant has not provided any receipts. The government has not shown the Court little evidence of fair market value beyond auction price, and even that only after the Government stripped the hard drive out of a laptop the Court found it did not demonstrate a legal basis to forfeit. The Court finds that the following values: \$1,000 for the laptop computer, \$100 for the cell phone, and \$300 for the video camera for a total of \$1400

**IT IS, THEREFORE, ORDERED** that the defendant's motion is **GRANTED in part and DENIED in part**, as stated at the conclusion of the hearing.

**IT IS FURTHER ORDERED** that the government shall remit to the defendant \$1,400 within 90 days of the entry of this Order as fair compensation for the items to which he was lawfully entitled.

Signed: January 11, 2012

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
Chief United States District Judge

